

REQUEST FOR FILING A PATENT APPLICATION UNDER 37 C.F.R. §1.53(b)
Attorney Docket: 038762.50011D1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Mail Stop PATENT APPLICATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is a request for filing a divisional application under 37 C.F.R. 1.53(b), of pending prior application:

Serial No.: 09/889,025
Filed on: July 10, 2001
Of: Claudia MANN et al.
Entitled: PHOTOCHROMIC HETEROCYCLICALLY
 ANELLATED INDENOCHROMENE COMPOUNDS
Examiner: Sudhaker B. PATEL
Group: 1624

- ☒ 1. Accompanying this order is a true copy of the prior application as originally filed (pages 1-28; plus 3 sheets of drawings, showing figs. 1-2).
- ☒ 2. New Formal drawings consisting of 2 sheets, depicting Figures 2a and 2b.
- ☒ 3. Declaration and Power of Attorney:
- a. ☐ Newly executed (original or copy)
- b. ☒ Copy from prior application
- i. ☐ Deletion of Inventors - signed statement attached deleting inventor(s) named in the prior application
- ☒ 4. Incorporation by Reference:
- The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 3b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
- ☒ 5. Cancel original claims 1-7.

- ☐ 6. Small entity status:
- a. ☐ A small entity statement is enclosed
- b. ☐ A statement of small entity status (copy attached) was filed on ___ in the prior application and status as a small entity is still proper and desired.
- c. ☐ Is no longer claimed
- ☒ 7. The filing fee is calculated below:

**CLAIMS AS FILED, INCLUDING ANY CLAIMS
CANCELLED OR ADDED BY PRELIMINARY AMENDMENT**

Basic Fee						\$385	\$770.00
Total Claims	7	-	20	=	0	x	9 = \$ 18 = \$
Ind. Claims	1	-	3	=	0	x	42 = \$ 84 = \$
Multiple Dependent Claims						+	140 = \$ 280 = \$
Total						\$	\$770.00

- ☒ 8. Please charge my Deposit Account No. 05-1323 (Docket #038762.50011D1) in the amount of \$770.00.
- ☐ 9. A check in the amount of \$___ to cover the filing fee is enclosed.
- ☒ 10. The Commissioner is authorized to charge any fee which may be required under 37 CFR 1.16 or 37 CFR 1.17 or credit any overpayment to Deposit Account No. 05-1323 (Docket #038762.50011D1).
- ☒ 11. Amend the specification by inserting before the first line the sentence: -- This application is a continuation/division of application Serial No. 09/889,025, filed July 10, 2001.--
- ☒ 12. Priority of Appln. Nos. 199 54 170.1, filed in Federal Republic of Germany on November 10, 1999; and 199 54 435.2, filed in Federal Republic of Germany on November 11, 1999, is hereby claimed under 35 U.S.C. 119.
- ☐ 13. A certified copy of each said priority document was filed in application Serial No. ___ on ___.
- ☒ 14. The prior application is assigned of record to Optische Werke G. Rodenstock.

- ☒ 15. The power of attorney in the prior application is to:

Herbert I. Cantor, Reg. No. 24,392; James F. McKeown, Reg. No. 25,406; Donald D. Evenson, Reg. No. 26,160; Joseph D. Evans, Reg. No. 26,269; Gary R. Edwards, Reg. No. 31,824; and Jeffrey D. Sanok, Reg. No. 32,169.

- ☒ a. The power appears in the original application papers in the prior application.
- ☒ b. Since the power does not appear in the original application papers, a copy of the power in the prior application is enclosed.
- ☐ c. Attached is a duplicate of a Supplemental Declaration which was filed in the prior application to overcome informalities.
- ☒ d. Address all future correspondence to:

CROWELL & MORING, LLP
Intellectual Property Group
P.O. Box 14300
Washington, DC 20044-4300

Customer No.
23911

- ☒ 16. Forms PTO-892 and PTO-1449 listing prior art made of record in the prior application are attached. A copy of each of the listed references should be available in the prior application file.
- ☒ 17. A Preliminary Amendment is being filed herewith.
- ☒ 18. Return Receipt Postcard.
- ☒ 19. Other: Application Data Sheet

Respectfully submitted,

November 25, 2003



J. D. Evans
Registration No. 26,269

CROWELL & MORING, L.L.P.
Intellectual Property Group
P.O. Box 14300
Washington, D.C. 20044-4300
Tel: (202) 624-2500
Fax: (202) 628-8844
JDE:tlm